

**E-FILED ON December 18, 2006**

Annette W. Jarvis, Utah Bar No. 1649  
 Steven C. Strong, Utah Bar No. 6340  
 RAY QUINNEY & NEBEKER P.C.  
 36 South State Street, Suite 1400  
 P.O. Box 45385  
 Salt Lake City, Utah 84145-0385  
 Telephone: (801) 532-1500  
 Facsimile: (801) 532-7543  
 Email: [ajarvis@rqn.com](mailto:ajarvis@rqn.com)

Lenard E. Schwartz, Nevada Bar No. 0399  
 Jeanette E. McPherson, Nevada Bar No. 5423  
 SCHWARTZER & MCPHERSON LAW FIRM  
 2850 South Jones Boulevard, Suite 1  
 Las Vegas, Nevada 89146-5308  
 Telephone: (702) 228-7590  
 Facsimile: (702) 892-0122  
 E-Mail: [bkfilings@s-mlaw.com](mailto:bkfilings@s-mlaw.com)

Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case No. BK-S-06-10725 LBR  
 Case No. BK-S-06-10726 LBR  
 Case No. BK-S-06-10727 LBR  
 Case No. BK-S-06-10728 LBR  
 Case No. BK-S-06-10729 LBR

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
 LLC,  
 Debtor.

Chapter 11  
 Jointly Administered Under  
 Case No. BK-S-06-10725 LBR

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

Date: December 19, 2006  
 Time: 10:00 a.m.

In re:  
 USA SECURITIES, LLC,  
 Debtor.

**ERRATA TO DECLARATION OF  
 THOMAS J. ALLISON IN SUPPORT OF  
 THE CONFIRMATION OF THE  
 DEBTORS' THIRD AMENDED JOINT  
 PLAN OF REORGANIZATION  
 (AFFECTS ALL DEBTORS)**

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC

SCHWARTZER & MCPHERSON LAW FIRM  
 2850 South Jones Boulevard, Suite 1  
 Las Vegas, Nevada 89146-5308  
 Tel: (702) 228-7590 · Fax: (702) 892-0122

1 The Declaration of Thomas J. Allison in Support of the Confirmation of the Debtors' Third  
2 Amended Joint Plan of Reorganization, which was filed on December 15, 2006, erroneously failed  
3 to include Exhibit A, which is described in paragraph 66 of the declaration. A true and correct  
4 copy of Exhibit A is attached hereto.

5 Respectfully submitted this 18<sup>th</sup> day of December, 2006.

6  
7 /s/ Jeanette E. McPherson

8 Lenard E. Schwartz, Nevada Bar No. 0399  
9 Jeanette E. McPherson, Nevada Bar No. 5423  
10 SCHWARTZER & MCPHERSON LAW FIRM  
2850 South Jones Boulevard, Suite 1  
Las Vegas, Nevada 89146

11 and

12 Annette W. Jarvis, Utah Bar No. 1649  
13 Steven C. Strong, Utah Bar No. 6340  
14 RAY QUINNEY & NEBEKER P.C.  
15 36 South State Street, Suite 1400  
16 P.O. Box 45385  
Salt Lake City, Utah 84145-0385

17 905581  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SCHWARTZER & MCPHERSON LAW FIRM  
2850 South Jones Boulevard, Suite 1  
Las Vegas, Nevada 89146-5308  
Tel: (702) 228-7590 · Fax: (702) 892-0122

# Exhibit A

# **Bay Pompano Loan** **Analyses of Principal Receipts and Remittance**

## **Principal Collected**

Oct 16 - 31, 2005	Bay Pompano - \$1,229,639 Others Total - \$114,395
Nov 1 - 15, 2005	Bay Pompano - \$1,451,608 Others Total - \$266,947
Nov 16 - 30, 2005	Bay Pompano - \$2,789,934 Others Total - \$335,304
Dec 1 - 15, 2005	Bay Pompano - \$4,451,788 Others Total - \$0
Dec 16 - 31, 2005	Bay Pompano - \$3,395,497 Others Total - \$106,757
Jan 1 - 15, 2006	Bay Pompano - \$1,022,820 Others Total - \$1,011,750
Jan 16 - 31, 2006	Bay Pompano - \$1,518,859 Others Total - \$3,262,051
Feb 1 - 15, 2005	Bay Pompano - \$0 Others Total - \$383,608
Feb 16 - 28, 2005	Bay Pompano - \$0 Others Total - \$3,582,767
Mar 1 - 15, 2006	Bay Pompano - \$325,862 Others Total - \$357,372
Mar 16 - 31, 2006	Bay Pompano - \$565,273 Others Total - \$3,498,304

## **Collections** **Trust** **Wells Fargo** **acct. 7864**

## **Payments to Direct Lenders**

Nov 7, 2005	3,141 Disbursements Bay Pompano Principal - \$806,149 Other Int. & Prin. Disbursements \$15,451,165
Nov 16 & 18, 2005	453 Disbursements Bay Pompano Principal - \$812,589 Other Int. & Prin. Disbursements \$11,233,953
Dec 7, 2005	3,277 Disbursements Bay Pompano Principal - \$0 Other Int. & Prin. Disbursements \$11,718,136
Dec 15 & 16, 2005	558 Disbursements Bay Pompano Principal - \$2,563,794 Other Int. & Prin. Disbursements \$8,355,335
Jan 9 & 11, 2006	3,354 Disbursements Bay Pompano Principal - \$1,400,000 Other Int. & Prin. Disbursements \$21,780,082
Jan 16 & 19, 2006	481 Disbursements Bay Pompano Principal - \$2,268,755 Other Int. & Prin. Disbursements \$7,786,649
Feb 7, 2006	3,378 Disbursements Bay Pompano Principal - \$0 Other Int. & Prin. Disbursements \$26,816,139
Feb 15, 2006	No Disbursements
Mar 10, 2006	3,433 Disbursements Bay Pompano Principal - \$0 Other Int. & Prin. Disbursements \$13,417,847
Mar 27, 2006	484 Disbursements Bay Pompano Principal - \$465,011 Other Int. & Prin. Disbursements \$4,524,472
April 10, 2006	No Disbursements

## **Bank Unremitted Balance Principal**

8,875,506	812,598
6,478,345	1,328,227
6,883,173	6,397,265
8,188,984	5,750,438
13,795,174	8,412,771
16,619,312	7,420,455
28,307,085	8,018,860
3,425,208	8,018,860
6,671,434	8,018,860
3,722,672	8,018,860
8,427,731	8,444,986